

JAP:EEA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

15 M 1163

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UNITED STATES OF AMERICA

- against -

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF ARREST WARRANT
(18 U.S.C. § 201(b)(1)(A))

HONG YANG,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

KYLER HARDIN, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations, ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 2, 2015, within the Eastern District of New York, defendant HONG YANG did knowingly and intentionally, directly and corruptly, give, offer and promise something of value, to wit: United States currency, to a public official acting on behalf of an agency of the United States, to wit: Customs and Border Protection ("CBP"), with the intent to influence such public official to commit and aid in committing a fraud on the United States, to wit: customs fraud.

(Title 18, United States Code, Sections 201(b)(1)(A)).

The source of your deponent's information and the grounds for his belief are as

follows:¹

1. I am a Special Agent with HSI. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file; and from reports of other law enforcement officers involved in the investigation.

2. On July 2, 2015, the defendant HONG YANG, a citizen of China, arrived at John F. Kennedy International Airport, in Queens, New York, aboard AirFrance Flight #10 from Paris, France. HONG YANG was traveling with her adult daughter and sister, and possessed a B1-B2 non-immigrant visa. The defendant was referred by CBP officers for a secondary examination, which revealed undeclared goods valued preliminarily at approximately \$160,000.

3. While CBP officers completed the detention process for the undeclared goods, the defendant offered the CBP officer money in exchange for his assistance. She also gave the CBP officer a slip of paper on which she had written her nickname and telephone number. The CBP officer then proceeded to record his subsequent conversations with the defendant.

4. The defendant HONG YANG again reiterated her offer of cash, specifically, \$10,000, and a watch, to let her and her daughter leave with the undeclared goods. She then also provided another slip of paper to the CBP officer with a different telephone number written on it and offered to "sleep with" the CBP officer and take him to China.

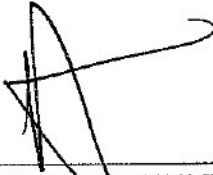
¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

These conversations were recorded by the CBP officer.

5. The defendant was subsequently arrested by HSI Special Agents. The Special Agents read the defendant her Miranda rights in English and in Chinese, which she waived. After initial denials, the defendant ultimately stated in sum and substance and in part that she offered the CBP officer money so that she could leave with her daughter and her undeclared goods. She acknowledged that she knew this offer was illegal.


6. I request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that the defendant
HONG YANG be dealt with according to law.



KYLER HARDIN
Special Agent
HSI

Sworn to before me this
4th day of December, 2015



S/ Roanne Mann
THE HONORABLE ROANNE L. MANN
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK